

**REMARKS**

Reconsideration of the present application, as amended, is respectfully requested. Claims 1, 3-6, and 8 have been amended. Claims 2 and 7 have been canceled. Accordingly, claims 1, 3-6, and 8 remain pending in the present application. Applicants note that the claim for foreign priority has not been acknowledged. Applicants respectfully request acknowledgment of the claim of foreign priority and/or explanation as to whether certified copies of the priority documents have/have not been received.

The Examiner objects to the title and the Abstract of the present application. The title has been replaced with a more descriptive title in accordance with the Examiner's suggestion. The phrase "fig. 1" has been deleted from the Abstract in accordance with the Examiner's suggestion. Applicants respectfully request that the objections to the title and Abstract be withdrawn.

Claim 5 is objected to for being an improper multiple dependent claim. Claim 5 has been amended to depend from any of claims 1-3, which are not multiple dependent claims. As such, claim 5 does not depend from a multiple dependent claim and Applicants request that the objection to claim 5 be withdrawn.

Claim 1 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2 of U.S. Patent No. 6,424,844 to Lundqvist. Claims 2, 3, and 6-8 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 2 of Lundqvist in view of U.S. Patent No. 6,476,797 to Kurihara ("Kurihara"). Claims 2 and 7 have been canceled, thereby rendering the rejection of these claims moot. Claims 4/1 and 4/3 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 2 of Lundqvist and Kurihara in view of U.S. Patent No. 5,790,875 to Andersin et al. ("Andersin"). Applicants submit herewith a Terminal Disclaimer for the present application with respect to Lundqvist. As such, Applicants request that the obviousness-type double patenting rejections of claims 1, 3, 4/1, 4/3, 6, and 8 be withdrawn.

Claims 1-2 stand rejected under 35 U.S.C. §102(e) as being anticipated by Lundqvist. Claim 2 has been canceled, thereby rendering the rejection of this claim moot. Claim 1 recites, in part, the feature of “the control block is arranged to detect whether the touch position lies within an area defined by four co-ordinates or less defining the maximal area of an on-button of an input-means, or whether the touch position lies within any of the areas of two or more on-buttons or within a combined area of adjoining on-buttons.”

In contrast, Lundqvist teaches that if the key is not on the “on button position” then the portable telephone is powered down. The control means will start to interpret the meaning of the activation, starting with detecting the touch position in a *conventional way*. See Lundqvist, col. 4, lines 6-10 and 13-17. Lundqvist does not teach or suggest any particular manner of detecting the touch position and therefore does not teach detecting the touch position as recited in claim 1. Applicants respectfully submit that claim 1 distinguishes over Lundqvist and request that the §102 rejection of claim 1 be withdrawn.

Claim 6 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,091,031 to Lee (“Lee”). Although not specifically listed, it is believed by Applicants that claim 7 is also rejected under 35 U.S.C. §102(e) as being anticipated by Lee. See Office Action, page 9. Claim 7 has been canceled, thereby rendering the rejection of this claim moot. Claim 6 recites, in part, the feature of “detecting whether the touch position lies within an area defined by four co-ordinates or less defining the maximal area of an on-key of the input-means, or whether the touch position lies within any of the areas of two or more on-keys or within a combined area of adjoining on-keys.”

It is asserted that Lee teaches this feature at col. 1, lines 47-54, Figures 1, 2A, and 2B, numbers 6, and 6-1 to 6-4. Applicants submit that Lee does not include a Figure 2A or 2B and are unable to locate numbers 6, and 6-1 to 6-4. It appears that these reference numbers refer to portions of Kurihara. Applicants are unclear as to which reference is being utilized in the rejection, however, Applicants will treat this rejection as a §102 rejection by Lee as Lee is the patent listed at page 8, item 9 of the Office Action.

Lee does not describe the activation area in any detail and the activation area is not shown in the figures of Lee. As such, Lee does not teach or suggest that the activation area is defined by four co-ordinates or less as required by claim 6 of the present application. Furthermore, Lee does not teach two or more on-keys or a combined area of adjoining on-keys. Instead, Lee teaches only a single activation area, not a plurality of activation areas. As such, Lee cannot teach determining whether the touch position lies within the area of two or more on-keys or a combined area of adjoining on-keys. Applicants submit that claim 6 distinguishes over Lee and requests that the §102 rejection of claim 6 be withdrawn.

Claims 1-3, and 4/1-4/3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Andersin in view of Kurihara. Claim 2 has been canceled, thereby rendering the rejection of claim 2 and claim 4/2 moot. Claim 1 recites, in part, the features of “a single power supply for providing power to the voltage controlled switch and the at least one touch screen display” and “the control block is arranged to detect whether the touch position lies within an area defined by four co-ordinates or less defining the maximal area of an on-button of an input-means, or whether the touch position lies within any of the areas of two or more on-buttons or within a combined area of adjoining on-buttons.”

In contrast, Andersin teaches a display screen with corners defined by x1, x2, y1, and y2. Andersin does not teach that an on-button is integrated into the display screen. In fact, Andersin does not teach or suggest a power button in any way. Furthermore, these co-ordinates do not define the area of an on-button as required by claim 1, but instead define the border of the entire display screen. Applicants therefore submit that Andersin does not teach or suggest that the maximal area of the *on-button* is defined by four co-ordinates or less as required by claim 1 of the present application. Furthermore, Andersin does not teach two or more on-keys or a combined area of adjoining on-keys. Kurihara does not remedy the deficiencies of Andersin in that Kurihara also does not teach that the on-button is defined by four co-ordinates or less. In addition, Kurihara does not teach a single power supply for providing power to the voltage controlled switch and the at least one touch screen display. Instead, Kurihara teaches two separate power supplies, one for the touch switch region, and another for other portions of the device. See Kurihara, col. 3, lines 29-30.

Applicants submit that claim 1 distinguishes over the combination of Andersin and Kurihara and request that the §103 rejection of claim 1 be withdrawn.

Claims 3, 4/1, and 4/3 are either directly or indirectly dependent from claim 1 and should distinguish over the combination of Andersin and Kurihara for at least the same reasons as stated above. Applicants respectfully request that the §103 rejection of claims 3, 4/1, and 4/3 be withdrawn.

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Kurihara. Claim 8 is directly dependent from claim 6 and should distinguish over Lee for at least the same reasons as stated above. As noted above, Lee does not teach or suggest that the activation area is defined by four co-ordinates or less as required by claim 6 of the present application. Kurihara does not remedy the deficiencies of Lee in that Kurihara also does not teach that the activation area or touch switch region is defined by four co-ordinates or less as recited in claim 6. Applicants submit that claim 8 distinguishes over the combination of Lee and Kurihara and request that the §103 rejection of claim 8 be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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